

SALARY COMMISSION
CITY AND COUNTY OF HONOLULU 530 South King Street,
Room 202M Honolulu, Hawaii 96813

MINUTES OF THE COMMISSION'S FIFTH MEETING/PUBLIC HEARING:
APRIL 29, 2014

1. CALL TO ORDER

Chair Sara Buehler called the meeting to order on Tuesday, April 29, 2014 at 1:30 p.m. in the Council's Committee Meeting Room.

2. ATTENDANCE

Commissioners present at the meeting: Sara Buehler, Chair; Kevin Sakamoto, Vice-Chair; Lee Donohue, Guy Kaulukukui, Paul Oshiro, and Diane Peters-Nguyen.

Commission support staff present at the meeting: Donna Chun, Executive Secretary

Commission attorney present at the meeting: Derek Mayeshiro, Deputy Corporation Counsel (COR)

Others present: Carolee Kubo, Director of the Department of Human Resources; Denise Miyahara and Lila Tom, representatives from the Department of Human Resources.

3. APPROVAL OF MINUTES

There was a motion by Commissioner Diane Peters-Nguyen to approve and file the minutes of the April 15, 2014 meeting. Commissioner Lee Donohue seconded the motion. Hearing no objections from the five Commissioners present, the minutes were approved.

4. PUBLIC HEARING

Chair Buehler wanted to note three things for the record. The Commission received an email testimony from Risa Oram dated April 18, 2014; a letter from Council Chair Ernest Martin and Councilmember Ann Kobayashi dated April 25, 2014, and a letter from Director Carolee Kubo, Department of Human Resources (DHR) and approved by Managing Director Ember Shinn, dated April 29, 2014.

Chair Buehler reminded the Commissioners that at the last Salary Commission meeting, the Commission proposed the following recommendations:

- A. A proposed 8% increase for the salaries of all elected officials, including Mayor, Councilmembers and Prosecuting Attorney.
- B. A proposed 8% increase for the salaries of the following appointed officials: Managing Director, Deputy Managing Director, First Deputy Prosecuting Attorney, Department Heads, Deputy Department Heads, the Fire Chief, and Deputy Fire Chiefs, but excluding the Medical Examiner, Deputy Medical Examiner, Royal Hawaiian Band Director, the Police Chief, and Deputy Police Chiefs. C. A proposed 2% increase for the salary of the Medical Examiner.
- D. A proposed 2% increase for the salary of the Deputy Medical Examiner.
- E. A proposed 2% increase for the salary of the Royal Hawaiian Band Director.
- F. A proposed 8.4% increase for the salaries of the Police Chief and Deputy Police Chiefs.
- G. A proposed 8% increase for the schedule of salaries of the deputies of the Prosecuting Attorney and Corporation Counsel.

Chair Buehler explained that the Department of Human Resources (DHR) has informed the Salary Commission that the City's system allows only whole semimonthly dollar figures. DHR rounded the salary figures to the nearest whole dollar which resulted in a slight variance in the percentage that was approved by the Salary Commission at the last meeting April 15, 2014. The rounded salary figures and the corresponding percentages for the elected and appointed officials are listed in the draft Findings of Fact and Resolution. It was then asked if there were any objections to the salary amounts as calculated by DHR. There were no objections.

5. DECISION - MAKING ON THE SALARY COMMISSION SALARY RECOMMENDATIONS

There being no public testimony on the proposed increases, Chair Buehler requested to take a vote to establish the salaries as stated in the draft Findings of Fact and Resolution, with the rounded adjustments.

Chair Buehler asked if the Commissioners had any amendments to the proposed salaries.

Commissioner Oshiro noted that in light of the testimony and letters received, the proposed 8% increase may have some difficulty in the final approval, and offered for discussion the possibility of lowering the percentage to 5.6% which is the lower range of the excluded managerial proposed salary increases that are presently pending.

Before discussion on Commissioner Oshiro's proposal, Commissioner Kaulukukui requested clarification by COR on the Charter language which provides that the Council may reject either the entire resolution or any portion of it. He asked whether

"portion" refers to proposed increases or positions. COR responded that the provision is vague and that the office has not opined officially on the meaning of the term.

However, in the past COR has viewed it informally as meaning specific positions and not percentage adjustments.

Commissioner Peters-Nguyen commented on an article she had seen in an online news publication which compared the much higher level of compensation of comparable cities on the Mainland in terms of budget and population. She felt that this supported the conclusions of the Commission.

Commissioner Oshiro responded that he totally agrees with the salary recommendations, but is also trying to face the practical reality of the situation, and thus, his proposal for discussion purposes.

Commissioner (Sakamoto?) requested clarification on how the Commission arrived at the percentage figures.

Denise Miyahara, DHR, explained the increase that the union employees will be getting including the catch up step movements. She also explained the percentage catch up figures for the excluded managerial employees and how DHR arrived at those percentages.

Commissioner Kaulukukui expressed his concern that the Commission is reacting to communication from Council Chair and Budget Committee Chair. He feels that the issues raised in their letter are Council kuleana as opposed to Commission kuleana. He also feels that if any amendments are made it should be done to satisfy some of the issues that the Commission is charged with and should not be concerned that the proposal may not pass or be rejected by the Council.

Commissioner Sakamoto thought that the Commission should find a compromise in order to avoid the likely scenario that the Commission's proposals will be rejected and thereby creating a situation next year where salaries will be further behind.

Commissioner Donohue expressed his thinking that the Commission should remember its purpose for being here, which is to propose, whether it's rejected or not, what is a fair and equitable wage for the senior leaders of this City.

Chair Buehler offered two comments. First, it is the Commission's responsibility to be outside of the political process and to look at what's fair compensation and what's a sensible relationship between the department leaders and department heads and the civil service managers. Therefore, the Commission's proposed increases. Second, she felt that to change the Commission's decision at this point, the Commission would not be following the intention of its goals. She suggested that the Commission keep the recommendations, then let the City Council decide what their role is.

Commissioner Sakamoto recommended that adjustments be made only to Council Chair and Councilmember positions, to 4%.

Chair Buehler requested if there were any more amendments to the proposals.

Commissioner Oshiro stated that after further consideration, and listening to the discussion, he would like to withdraw his suggestion and recommends going with the present proposal as is.

Chair Buehler then asked for a motion to amend the percentage for Council Chair and Councilmembers to 4%. Motion by Commissioner (Sakamoto?) and seconded by Commissioner Peters-Nguyen.

Upon discussion of the motion, Commissioner Kaulukukui reiterated that to amend the Commission's original recommendation is not doing it for the right reason and he will be reluctant to support any amendment to the Commission's original proposal.

Commissioner Oshiro stated his preference to go with the original 8% across the board. He feels it is totally justified and for that reason withdrew his suggestion for discussion of the lower rate of 5.6% or 6%.

Commissioner Sakamoto voted aye. Commissioners Buehler, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted no. Motion does not pass.

Chair Buehler called again to take a vote and the Commission voted as follows on the salaries of the following positions:

Mayor: \$153,240. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Council Chair: \$63,288. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Councilmember: \$56,640. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Prosecuting Attorney: \$145,248. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Managing Director: \$146,592. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Deputy Managing Director: \$138,960. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Department Heads, except Police Chief, Fire Chief, Medical Examiner: \$136,920. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Police Chief: \$164,376. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Fire Chief: \$159,144. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Medical Examiner: \$255,000. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Deputy Department Heads, except Prosecutor's Office, Police, Fire, Medical Examiner: \$129,936. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

First Deputy Prosecuting Attorney: \$138,096. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Deputy Police Chiefs: \$156,768. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Deputy Fire Chief: \$151,776. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Deputy Medical Examiner: \$204,024. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Band Director: \$120,792. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Schedule of salaries of the deputies of the Corporation Counsel:

Deputies with 0-10 years of experience: \$

Deputies with 10+ years experience: \$106,704 – Salary of the Corporation Counsel (Department Head).

Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

Schedule of salaries of the deputies of the Prosecuting Attorney: \$48,576 - \$134,856. Commissioners Buehler, Sakamoto, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Hearing no objections, it passes.

6. REVIEW DRAFT FINDINGS OF FACT AND RESOLUTION

Chair Buehler said the draft of the Findings of Fact and Resolution have been provided to the Commissioners, and they are substantially in the form to be submitted to the Council and Mayor. Chair Buehler asked if the Commissioners had any questions or proposed changes to the language to the Findings of Fact or Resolution. Hearing no questions or proposed changes to the draft Findings of Fact and Resolution Chair Buehler calls for a vote to approve the draft Findings of Fact and Resolution.


Commissioners Buehler, Donohue, Kaulukukui, Oshiro, and Peters-Nguyen voted aye. Commissioner (Sakamoto?) abstained. Hearing no objections, it passes.

Chair Buehler said the Finalized Findings of Fact and Resolution are ready for the Commissioners to sign. The Findings of Fact and Resolution will be submitted to the Mayor and Council prior to May 1, 2014 in accordance to Charter Section 3-122.

7. MOTION TO ADJOURN

Commissioner Peters-Nguyen moved that the meeting be adjourned. Commissioner Donohue seconded the motion. Hearing no objections from the five Commissioners present, the meeting adjourned at 2:05 p.m.

Respectfully submitted,


for Donna M. Chun
Executive Secretary